

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

MONSANTO COMPANY and
MONSANTO TECHNOLOGY LLC,

Plaintiffs,

vs.

E.I. DUPONT DE NEMOURS AND
COMPANY and
PIONEER HI-BRED INTERNATIONAL,
INC.,

Defendants.

Case No. 4:09-cv-00686-ERW

E.I. DUPONT DE NEMOURS AND
COMPANY and

PIONEER HI-BRED INTERNATIONAL,
INC.,

Defendants.

**JOINT MOTION TO AMEND PARAGRAPHS I.1, I.3, AND I.5 OF THE COURT'S
THIRD AMENDED CASE MANAGEMENT ORDER – PATENT**

Pursuant to the agreement of the parties, Defendants E.I. DuPont de Nemours and Co. and Pioneer Hi-Bred International, Inc. and Plaintiffs Monsanto Company and Monsanto Technology LLC hereby respectfully request that the Court amend Paragraphs I.1, I.3, and I.5 of the Court's Third Amended Case Management Order – Patent (Dkt. # 414) as follows:

	Present Deadline	New Stipulated Deadline
Close of Fact Discovery	February 7, 2011	March 24, 2011
Disclose Opening Experts and Provide Opening Expert Reports	March 2, 2011	April 11, 2011
Disclose Rebuttal Experts and Provide Rebuttal Expert Reports	March 23, 2011	May 2, 2011
Complete Expert Depositions	April 22, 2011	June 1, 2011
Deadline for Filing Dispositive Motions	May 6, 2011	June 15, 2011

The Parties request to extend the Close of Fact Discovery solely for the purpose of completing the depositions noticed before the original Close of Fact Discovery, and completing the discovery as may be ordered by the Court due to motions to compel. The extension shall not expand the scope of discovery, and, accordingly, neither Party shall be permitted as a result of

this stipulated extension to proceed with any depositions or written discovery first noticed or served after February 7, 2011, unless otherwise agreed to by the parties or ordered by the Court.

All other dates set forth in the Court's Third Amended Case Management Order remain as set forth therein.

Respectfully submitted this 1st day of March, 2011.

HUSCH BLACKWELL SANDERS, LLP

By: /s/ Greg G. Gutzler
(signed by filing counsel with permission)
Joseph P. Conran, #21635MO
Omri E. Praiss, #41850MO
Greg G. Gutzler, #48893MO
Tamara M. Spicer, #54037MO
190 Carondelet Plaza, Suite 600
St. Louis, MO 63105-3441

Dan K. Webb
George C. Lombardi
Todd J. Ehlman
James M. Hilmert
WINSTON & STRAWN LLP
35 W. Wacker Drive, Suite 4200
Chicago, IL 60601

John J. Rosenthal
Matthew A. Campbell
Jovial Wong
WINSTON & STRAWN LLP
1700 K Street, N.W.
Washington, DC 20006

Steven G. Spears
Scott W. Clark
McDERMOTT WILL & EMERY
1000 Louisiana Street, Suite 3900
Houston, TX 77002-5005

*Counsel for Plaintiffs Monsanto Company
and Monsanto Technology LLC*

LEWIS RICE FINGERSH, L.C.

By: /s/ C. David Goerisch
Andrew Rothschild, #23145MO
C. David Goerisch, #48418MO
600 Washington Avenue, Suite 2500
St. Louis, Missouri 63101

Leora Ben-Ami
Thomas F. Fleming
Christopher T. Jagoe
Howard S. Suh
KAYE SCHOLER LLP
425 Park Avenue
New York, New York 10022

Donald L. Flexner
BOIES, SCHILLER & FLEXNER LLP
575 Lexington Avenue, 7th Fl.
New York, New York 10022

James P. Denvir
Amy J. Mauser
BOIES, SCHILLER & FLEXNER LLP
5301 Wisconsin Avenue, N.W.
Washington, D.C. 20015

*Counsel for Defendants E.I. du Pont de
Nemours and Company and Pioneer Hi-Bred
International, Inc.*